

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

**In Re: Gerald R. Galleshaw
Debtor**

DAVID C. FRAIOLI and NEW	:	
ENGLAND AUTO CENTER, INC.	:	
Plaintiffs	:	C.A. NO. 15-11047
	:	
V.	:	Chapter 7
	:	
GERALD R. GALLESHAW	:	ADV. PRO. NO.: 15-01023
Defendant Debtor	:	

**DEBTOR'S MOTION TO WITHDRAW ANSWER
MADE TO DOCUMENT THAT WAS TERMINATED**

Debtor respectfully requests that the Court withdraw his answer to amended complaint that was filed on 12/31/15. As grounds set forth the Debtor asserts that: 1) the amended complaint (Doc. # 24) was not filed at the time the answer (Doc # 22) was erroneously filed; 2) that the motion to amend the complaint (Doc# 18) filed on 12/17/15 was terminated as moot because the Court Ordered (Doc# 14) that Plaintiffs have until 12/31/15 to file an amended complaint; 3) the amended compliant was filed on 1/5/16 (Doc# 24) giving the Debtor 14 days to respond in accordance with Fed. R. Civ. P. 15(a)(3); and 4) Debtor will file a Motion to Dismiss as his response to the amended complaint simultaneously with this motion.

Respectfully submitted,
Debtor, Gerald Galleshaw,
By his attorney

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Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail, any party against whom such paper has been served, or any other party who objects to the relief sought, shall serve and file an objection or other appropriate response to said paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATION

I hereby certify that on January 19, 2016, a copy of the foregoing document, filed through the CM/ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies shall be served by first class mail postage prepaid on the parties listed on the NEF as not receiving electronic notice.

/s/ Todd S. Dion
Todd S. Dion, Esq.